

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JIMMY LYONS, JACQUELINE LYONS, LISA
CHAMBERLIN ENGELHARDT, GERALD
COULTHURST, ENRIQUE DOMINQUEZ
FRANCES ERVING, JOHNNIE ERVING
ANTHONY PAPAPIETRO, and SHEILA D.
HEARD individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

LITTON LOAN SERVICING LP, GOLDMAN
SACHS GROUP, INC., ARROW CORPORATE
MEMBER HOLDINGS LLC, SAXON
MORTGAGE SERVICES, INC., MORGAN
STANLEY, OCWEN FINANCIAL
CORPORATION, OCWEN LOAN
SERVICING, LLC, ASSURANT, INC. (d/b/a
Assurant Specialty Property), AMERICAN
SECURITY INSURANCE COMPANY,
STANDARD GUARANTY INSURANCE
COMPANY, AMERICAN MODERN
INSURANCE GROUP, and AMERICAN
MODERN HOME INSURANCE COMPANY

Defendants.

Case No. 1:13-cv-513-ALC-HBP

**NOTICE OF SAXON MORTGAGE SERVICES, INC.
AND MORGAN STANLEY'S MOTION TO SEVER**

PLEASE TAKE NOTICE that Defendants Saxon Mortgage Services, Inc. ("Saxon") and Morgan Stanley, upon: (i) the accompanying Memorandum of Law in Support of Saxon Mortgage Services, Inc. and Morgan Stanley's Motion to Sever; (ii) such additional authority and argument as may be presented in any Reply; (iii) all prior pleadings and proceedings herein; and (iv) such other matters of which this Court may take judicial notice; will move this Court, before the Honorable Andrew L. Carter, Jr., at the Thurgood Marshall United States Courthouse,

40 Foley Square, New York, New York, on a date and at a time to be determined by the Court, for an order severing the improperly joined claims asserted against Saxon and Morgan Stanley in Plaintiffs' Second Amended Class Action Complaint, pursuant to Federal Rules of Civil Procedure 20(a) and 21, and for such other and further relief as this Court may deem just and proper.

Dated: January 21, 2014
New York, New York

BINGHAM MCCUTCHEN LLP

By: /s/ Mary Gail Gears

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